

You can contact me on: 0345 015 4033  
phso.enquiries@ombudsman.org.uk

Our reference: EN-62245/0033  
Your reference:

In Confidence  
Ms Noelle Klosterkotter-Dit-Rawe



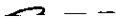
29 July 2009

Dear Ms Klosterkotter-Dit-Rawe

Rt Hon Sir Malcolm Rifkind MP has referred your complaints against HM Courts Service and The Residential Property Tribunal Service to the Parliamentary Ombudsman. Please find a copy of my reply.

If you would like to discuss your complaint with me, please do not hesitate to contact me at the address or telephone number on this letter.

Yours sincerely



Encs:



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In Confidence

Rt Hon Sir Malcolm Rifkind MP  
House of Commons  
London  
SW1A 0AA



Parliamentary  
and Health Service  
Ombudsman

29 July 2009

Dear Sir Malcolm

I knew from Sir Rifkind's letter of 17 Jun 09 that "The Ombudsman will also need confirmation that you have followed the appropriate formal complaints procedures" - that this would **WRONGLY** be used as an excuse to reject my complaint.

I challenged this in my 27 Aug 09 reply, which led to a U-turn in the 22 Sep 09 reply to me - and Sir Rifkind.

It is clear from the 22 Sep 09 letter that more excuses will be used to avoid dealing properly with my complaint. See also my 19 Oct 09 letter to Sir Rifkind

Ms Noelle Klosterkotter-Dit-Rawe,

On the 15 July 2009 you referred a complaint to the Parliamentary Ombudsman from Ms Klosterkotter-Dit-Rawe. Her complaint is about HM Courts Service (HMCS) and The Residential Property Tribunal Service (RPTS). **We have carefully considered the papers you sent but for the following reasons we have decided not to accept Ms Klosterkotter-Dit-Rawe's complaint's for investigation.**

The Parliamentary Ombudsman can in principle, investigate complaints against HMCS and RPTS. However, before she would consider doing that, she **would usually expect a complainant to have completed the department concerned own complaints procedures.**

**I have made enquiries with both organisations and it is clear that Ms Klosterkotter-Dit-Rawe has not completed HMCS and RPTS complaints procedures.**

**With regard to HMCS they have a 3 tier complaints system. In the first instance a written complaint should be put to the Manager of the court concerned. If having exhausted this tier the complaint can then be forwarded to the Area Director, the final tier after this is to contact the Customer Service Unit.** I have provided the website details below where information can be obtained about HMCS complaints process.

<http://www.hmcourts-service.gov.uk/infoabout/complaints/index.htm>

**RPTS has also confirmed that they hold no records showing that Ms Klosterkotter-Dit-Rawe has gone through their complaints procedure.**



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I should point out that the Ombudsman is only able to consider the administrative actions of HMCS and RPTS, and cannot consider complaints about decisions on cases, or the way in which a committee or tribunal conducted proceedings.

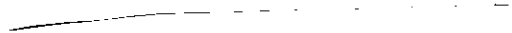
I have enclosed a copy of RPTS's leaflet which outlines their complaints process in more detail.

If after Ms Klosterkotter-Dit-Rowe has completed the complaints procedure for HMCS and RPTS, she remains unhappy, she can then refer the matters back to the Ombudsman's office either through you, or directly to us. She will not need a further referral from you. If Ms Klosterkotter-Dit-Rowe does return to us directly, we will of course let you know.

If you would like to discuss this matter further please contact me on the telephone number on this letter.

I have sent a copy of this letter to Ms Klosterkotter-Dit-Rowe.

Yours sincerely



budsman

cc: Ms Klosterkotter-Dit-Rowe